

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 260 and 261

[FRL-4804-9]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste;  
Wastes From Wood Surface Protection

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

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**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is issuing a final hazardous waste listing determination for wastes generated from the use of chlorophenolic formulations in wood surface protection processes. Upon reviewing the public comments received on its proposal of April 27, 1993, the Agency has decided not to list wastes from the use of chlorophenolic formulations in wood surface protection processes. As a result of this determination, EPA is not mandating in this rule any specific operating or information collection requirements for owners/operators of wood surface protection plants. If, however, use of chlorophenolic formulations resumes in the future, the Agency would very likely re-evaluate this decision not to list. This rule also finalizes the proposed amendment of SW-846 ("Test Methods for Evaluating Solid Waste, Physical/Chemical Methods") to include Method 4010 (Immunoassay Test for the Presence of Pentachlorophenol). In addition, the Agency is adding the following four chemicals to 40 CFR part 261, Appendix VIII: Sodium and potassium salts of pentachlorophenol and tetrachlorophenol.

**EFFECTIVE DATE:** January 4, 1994.

**ADDRESSES:** The official record for this rulemaking is identified as Docket Number F-93-F33F-FFFFF and is located in the EPA RCRA Docket, room M2616, 401 M Street, SW., Washington, DC 20460. The public must make an appointment to review docket materials by calling (202) 260-9327. The docket is open from 9 a.m. to 4 p.m., Monday through Friday, excluding holidays. The public may copy up to 100 pages from the docket at no cost. Additional copies cost \$0.15 per page.

**FOR FURTHER INFORMATION CONTACT:** For general information, contact the RCRA/Superfund Hotline at (800) 424-9346 (toll-free) or (703) 920-9810 in the Washington, DC metropolitan area. The TDD hotline number is (800) 553-7672 or (703) 486-3323. For

technical information on specific aspects of this rulemaking, contact Mr. David J. Carver at (202) 260-6775, Office of Solid Waste (Mailcode 5304), U.S. EPA, 401 M Street, SW., Washington, DC 20460. For technical information relating to the amendment of SW-846, contact Ms. Gail Hansen at (202) 260-4761, Office of Solid Waste (Mailcode 5304), at the same address provided above.

>>>> Preamble has not been included in this file. <<<<

For the reasons set out in the preamble, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

#### PART 260-HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

1. The authority citation for part 260 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921-6927, 6930, 6934, 6935, 6937, 6938, 6939, and 6974.

2. Section 260.11 is amended by revising the "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" reference in paragraph (a) to read as follows:

§ 260.11 References.

(a) \* \* \*

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846 (Third Edition (November, 1986), as amended by Updates I, II and IIA). The Third Edition of SW-846 and Updates I, II, and IIA (document number 955-001-00000-1) are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783-3238.

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#### PART 261-IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

3. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921, 6922, and 6938.

4. Appendix VIII of part 261 is amended by adding the following hazardous constituents in alphabetical order by common name to read as follows:

Appendix VIII to Part 261-Hazardous Constituents

Common Name				Chemical Abstracts name			Chemical abstracts No.	Haza rdou s waste No.
*	*	*	*	*	*	*	*	*
Potassium pentachlorophenate				Pentachlorophenol, potassium salt			7778736	None
*	*	*	*	*	*	*	*	*
Sodium pentachlorophenate				Pentachlorophenol, sodium salt			131522	None
*	*	*	*	*	*	*	*	*
2,3,4,6-tetrachlorophenol, potassium salt				same			53535276	None
2,3,4,6-tetrachlorophenol, sodium salt				same			25567559	None
*	*	*	*	*	*	*	*	*

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